

IFW

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On October 5, 2004

PATENT
Attorney Docket No.: 023070-090740US
Client Reference No.: 99-048-3

TOWNSEND and TOWNSEND and CREW LLP

By: 
Mark T. Davis



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

FISCHER and MIZUKAMI

Application No.: 10/623,477

Filed: July 18, 2003

For: METHODS FOR ALTERING
ORGAN MASS, CONTROLLING
FERTILITY AND ENHANCING
ASEXUAL REPRODUCTION IN
PLANTS

Examiner: Not yet assigned

Art Unit: 1638

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 10/059,911, filed January 28, 2002 (Attorney Docket No. 023070-090730US). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Matthew E. Hinsch
Reg. No. 47,651

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
MEH:mtd
60323817 v1

Substitute for form 1449B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number	10/623,477
				Filing Date	July 18, 2003
				First Named Inventor	Fischer, Robert L.
				Art Unit	1638
				Examiner Name	Not yet assigned
				Attorney Docket Number	023070-090740US
SHEET 01 OF 01		3 1		of 1	

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
CC	AA	US-5,110,732		05-1992	Benfey et al.
	AB	US-6,559,357		05-2003	Fischer et al.
↓	AC	US-6,639,128		10-2003	Fischer et al.

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Country Code ³	Number ⁴		
		NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
CC	AD	KLUCHER, K.; Database PIR, Accession No. S71365, Gene Sequence, October 28, 1996			
	AE	KLUCHER et al.; "The AINTEGUMENTA gene of Arabidopsis required for ovule and female gametophyte development is related to the floral homeotic gene APETALA2"; 1996, <i>The Plant Cell</i> , Vol. 8, pp. 137-153.			
	AF	KRIZEK, Beth A.; "Ectopic Expression of AINTEGUMENTA in <i>Arabidopsis</i> Plants Results in Increased Growth of Floral Organs"; <i>Developmental Genetics</i> 1999, Vol. 25, pp. 224-238.			
	AG	KRIZEK, Beth A.; "AINTEGUMENTA utilizes a mode of DNA recognition distinct from that used by proteins containing a single AP2 domain"; 2003, <i>Nucleic Acids Research</i> , Vol. 31, No. 7, pp. 1859-1868.			
	AH	ELLIOTT et al.; "AINTEGUMENTA, an APETALA2-like gene of <i>Arabidopsis</i> with pleiotropic roles in ovule development and floral organ growth"; 1996, <i>The Plant Cell</i> , Vol. 8, pp. 155-168.			
	AI	MIZUKAMI, Yukiko et al.; "Plant organ size control: AINTEGUMENTA regulates growth and cell numbers during organogenesis"; <i>PNAS</i> 2000, Vol. 97 No. 2 pp. 942-947.			
	AJ	NOLE-WILSON S., et al.; "DNA binding properties of the <i>Arabidopsis</i> floral development protein AINTEGUMENTA"; 2000, <i>Nucleic Acids Research</i> , Vol. 28, No. 21, pp. 4076-4082.			
↓	AK	SPTRREMBL Accession No. Q42462, 01 November 1996, ovule development protein AINTEGUMENTA from <i>Arabidopsis thaliana</i> .			

Examiner Signature		Date Considered	4/18/06
--------------------	---	-----------------	---------

¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

²Applicant's unique citation designation number (optional). ³Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449A&B/PTO



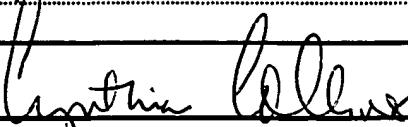
INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	2	Attorney Docket Number	023070-090740US
-------	---	----	---	------------------------	-----------------

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ²
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
CC	AA	WO	00/40694	A2	07-13-2000			<input type="checkbox"/>

NON PATENT LITERATURE DOCUMENTS								
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.					T ²	
CC	AB	Doerks et al, "Protein annotation: detective work for function prediction", Jun. 1998 TIG vol. 14 No. 6, pp. 248-250.					<input type="checkbox"/>	
	AC	Elliott et al, GenBank Accession No. U41339, Oct. 23, 1996.					<input type="checkbox"/>	
	AD	Elliot et al., SPTRÈMBL Accession No. Q42462, Ovule Development Protein Aintegumenta from Arabidopsis thaliana, Nov. 1, 1996.					<input type="checkbox"/>	
	AE	Klucher et al, GenBank Accession No. U40256, Feb. 29, 1996.					<input type="checkbox"/>	
	AF	Lim et al, GenBank Accession No. L46470, Dec. 21, 1995.					<input type="checkbox"/>	
	AG	Long, et al., "The development of apical embryonic pattern in Arabidopsis"; Development 125, pp. 3027-3035 (1998).					<input type="checkbox"/>	
	AH	Matsuoka et al., Plant Cell 5: 1039-1048, Sep. 1993.					<input type="checkbox"/>	
	AI	Mizukami, Y. et al.; "Functional domains of the floral regulator AGAMOUS: Characterization of the DNA binding domain and analysis of dominant negative mutations"; 1996, Plant Cell, Vol. 8, No. 5, pp. 831-845.					<input type="checkbox"/>	
↓	AJ	Putterill et al. Mol. Gen. Genet. 239: 145-157, 1993.					<input type="checkbox"/>	

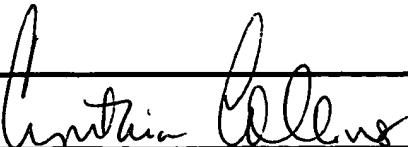
Examiner Signature		Date Considered	4/18/06
--------------------	---	-----------------	---------

¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

²Applicant's unique citation designation number (optional). ³Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449A&B/PTO				Complete If Known	
				<i>Application Number</i>	10/623,477
				<i>Filing Date</i>	July 18, 2003
				<i>First Named Inventor</i>	Fischer, Robert L.
				<i>Art Unit</i>	1638
				<i>Examiner Name</i>	Cynthia Collins
Sheet	2	of	2	<i>Attorney Docket Number</i>	023070-090740US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
CC	AK	Putterill et al. Cell 80: 847-857. Mar, 1995.	<input type="checkbox"/>
	AL	Schneitz, et al., "Pattern formation and growth during floral organogenesis: HUELLENLOS and ANTENNEPLATE are required for the formation of the proximal region of the ovule primordium in <i>Arabidopsis thaliana</i> "; Development 125, pp. 2555-2563 (1998).	<input type="checkbox"/>
	AM	Smith et al. Nature. 1988. vol. 334:724-726.	<input type="checkbox"/>
	AN	Vergani et al Genbank Accession No. U44028, Jan. 30, 1996.	<input type="checkbox"/>
↓	AO	Vergani et al., SPTREMBL Accession No. Q38914, from <i>Arabidopsis thaliana</i> , Nov. 1, 1996.	<input type="checkbox"/>

Examiner Signature		Date Considered	07/18/06
--------------------	---	-----------------	----------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.